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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,524	03/22/2001	Barry Alan Kritt	RPS920000110US1	4736

7590

09/05/2003

Joseph A. Sawyer, Jr  
Sawyer Law Group  
P.O. Box 51418  
Palo Alto, CA 94303

EXAMINER

ORTIZ RODRIGUEZ, CARLOS R

ART UNIT PAPER NUMBER

2125

DATE MAILED: 09/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/814,524

Applicant(s)

KRITT ET AL.

Examiner

Carlos Ortiz-Rodriguez

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Oath/Declaration***

1. Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 17 recites the limitation "customized" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-9,13-21,23-27,36-43,47-52 and 55-59 rejected under 35 U.S.C. 102(e) as being anticipated by Akasaka et al. U.S Patent No. 5,576,965.

Regarding to claim1, 2,13-15,23-25,36-38, 47-48 and 55 Akasaka et al. discloses a method for product fulfillment in an automated configure-to-order manufacturing system(see abstract lines 9-11), the method comprising the steps of: obtaining requirements for a product from a customer through a user interface (see col 12 lines 49-52); automatically (see col 3 lines 24-31)creating a plan from the requirements using a descriptive language, the descriptive language being hierarchical and object oriented(see col 1 lines 5-15; and conveying the plan to the automated manufacturing system, wherein the plan is used to manufacture the product satisfying the requirements(see col 3 lines 21-32); and storing the plan for future repairs and maintenance(see col 13 lines 12-21).

Regarding claims 3,16,26,39,49 and 56 Akasaka et al. further discloses the method wherein the descriptive language describes the product by a plurality of objects, each object of the plurality of objects having an attribute, and the attribute being assigned a value(see fig 1 element 104 and col 1 lines 24-28).

Regarding claims 4,17,27,40,50 and 57 Akasaka et al. further discloses the method wherein each object identifies a component in the product, wherein the component can be either a physical part or a logical part(see col 6 lines 51-59 and col 1 lines 18-21).

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Regarding claims 5,18,41 and 58 Akasaka et al. further discloses the method wherein the descriptive language is capable of describing a hierarchical relationship between objects(see col 7 lines 1-15).

Regarding claims 6 and 19,42,59 Akasaka et al. further discloses the method wherein the descriptive language is capable of describing a mechanical and electrical connection between objects(see col 7 lines 62-63).

Regarding claim 7 the method wherein the plan integrates the requirements with population rules that determine a sequence for manufacturing the product, and configuration rules a that determine proper configuration settings is inherent to Akasaka.

Regarding claims 8 and 20,51. Akasaka et al. further discloses the method wherein the automated manufacturing system includes a plurality of processes that use the plan to produce the product, the plurality of processes being software based(see abstract line 4).

Regarding claims 9 and 21,43,52. Akasaka et al. further discloses the method wherein the conveying step c) further comprises the step of: c1) providing a portion of the plan to a process of the plurality of processes, the portion being relevant to the process, thereby reducing the amount of information conveyed throughout the automated manufacturing system(see col 3 lines 22-32).

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10-12,22,28-35,44-46 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akasaka et al. U.S Patent No. 5,576,965 in view of Forth et al. U.S. Pub. No. 2002/0120521.

Regarding claims 10,44 and 53 Akasaka et al. discloses all the limitations of base claims 8,43, and 51 as stated above.

But, Akasaka et al. fail to clearly specify an assembly process. However, Forth et al. discloses the method wherein one process of the plurality of processes is an assembly process, the assembly process including the step of generating assembly instructions from the plan (see page 7 paragraph 0061 first three lines).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Akasaka et al. and combining it with the invention disclosed by Forth et al. The results of this combination would lead to a method and system for object oriented approach and data model for configure-to-order manufacturing system.

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One of ordinary skill in the art would have been motivated to do this modification because in a configure-to-order process an order of a particular customer is integrated with the manufacturing/assembly process, as suggested by Forth et al. Therefore, the assembly process is part of the plan.

Regarding claims 11,45 and 54 Akasaka et al. in combination with Forth et al. discloses all the limitations of base claims 10,44 and 53 as stated above.

The method of claim 10, wherein the assembly instructions are provided in a pictorial form such that an assembly worker can view the product assembled(see page 6 paragraph 0052 line 18-20).

Regarding claims 12,22,35 and 46 Akasaka et al. discloses all the limitations of base claims 1,22,24 and 37 as stated above.

But, Akasaka et al. fails to clearly specify the user interface being a web based front end ordering system. However, Forth et al. discloses the method wherein the obtaining step further includes the step of entering the requirements through a user interface, the user interface being a web based front end ordering system(see page 7 paragraph 0057 line 5).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Akasaka et al. and combining it with the invention disclosed by Forth et al.

One of ordinary skill in the art would have been motivated to do this modification because it is common in the art of configure-to-order manufacturing systems that a

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customer configures computer systems and places orders via a web page as stated by Forth et al.

Regarding claims 28-31 Akasaka et al. discloses al the limitations of base claim 24 as stated above.

But, Akasaka et al. fails to clearly specify the components being hardware parts, software parts, personalized data and slot preferences. However, Forth et al. discloses wherein the component can be either a physical part or a logical part; and the requirements include hardware parts, software parts, service parts, and personalized data(see page 9 paragraph 0079 lines15-25); the personalized data includes an IP address, a computer name, and slot preferences(see page 7 paragraph 0056 lines 1-8).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Akasaka et al. and combining it with the invention disclosed by Forth et al.

One of ordinary skill in the art would have been motivated to do this modification because it is common in the art of configure-to-order manufacturing systems that a customer configures computer systems(including the hardware parts, software parts, personalized data) as stated by Forth et al.

Regarding claims 32 Akasaka et al. in combination with Forth et al. discloses al the limitations of base claims 31 as stated above.



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Akasaka et al. further discloses the method wherein the automated manufacturing system includes a plurality of processes that use the plan to produce the computer product, the plurality of processes being software based(see abstract line 4).

Regarding claims 33 Akasaka et al. in combination with Forth et al. discloses al the limitations of base claims 32 as stated above.

Forth et al. further discloses the method wherein one process of the plurality of processes is an assembly process, the assembly process including the step of generating assembly instructions from the plan(see page 7 paragraph 0061 first three lines). Forth disclose that the order process is integrated with the manufacturing/assembly process thus assembly process is part of the plan.

Regarding claims 34 Akasaka et al. in combination with Forth et al. discloses al the limitations of base claims 33 as stated above.

Forth et al. further discloses the method of wherein the assembly instructions are provided in a pictorial form such that an assembly worker can view the product assembled, including the slot preferences for the hardware part(see page 6 paragraph 0052 line 18-20).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to method and system for object oriented approach and data model for configure-to-order manufacturing system:

- a. U.S. Pat. No. 4,591,983 to Bennett et al., which discloses hierarchical knowledge system.
- b. U.S. Pat. No. 5,463,555 to Ward et al., which discloses system and method for integrating a business environment with a process control environment.
- c. U.S. Pat. No. 5,548,756 to Tantry et al., which discloses object-oriented architecture for factory management.
- d. U.S. Pat. No. 5,745,765 to Paseman, which discloses method and apparatus for automatic and interactive configuration of custom products.
- e. U.S. Pat. No. 6,061,692 to Thomas et al., which discloses system and method for administering a meta database as an integral component of an information server.
- f. U.S. Pat. No. 6,202,070 to Nguyen et al., which discloses a computer manufacturing system architecture with enhanced software distribution functions.
- g. U.S. Pat. No. 6,434,598 to Gish, which discloses object-oriented system, method and article of manufacture for a client-server graphical user interface (#9) framework in an enterprise computing framework system.
- h. U.S. Pat. No. 6,513,049 to Moriyama, which discloses data processing method, recording medium, and data processing apparatus.

i. U.S. Pat. No. 6,598,223 to Vrhel, Jr. et al., which discloses method and system for installing and testing build-to-order components in a defined configuration computer system.

The following publications are cited to further show the state of the art with respect to method and system for object oriented approach and data model for configure-to-order manufacturing system.

j. U.S. Pub. No. 2001/0027483 to Gupata et al., which discloses method apparatus for use of an application state storage system in interacting with on-line services.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (703) 305-8009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (703) 308-0538. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Carlos Ortiz-Rodriguez  
Patent Examiner  
Art Unit 2125

cror

August 29, 2003

*Albert W. Paladini 9-2-07*  
**ALBERT W. PALADINI**  
**PRIMARY EXAMINER**